

**Introduced by Senator Beall**

February 18, 2014

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An act to amend Section 70901 of the Education Code, relating to community colleges.

## LEGISLATIVE COUNSEL'S DIGEST

SB 1068, as introduced, Beall. Community colleges: Board of Governors of the California Community Colleges.

Existing law establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as one of the segments of public postsecondary education in this state. Existing law specifies the duties of the board of governors, including, among other duties, establishing minimum standards for the formation of community colleges and districts.

This bill would make nonsubstantive changes in the provision relating to the duties of the board of governors.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 70901 of the Education Code is amended  
2     to read:  
3     70901. (a) The Board of Governors of the California  
4     Community Colleges shall provide leadership and direction in the  
5     continuing development of the California Community Colleges as  
6     an integral and effective element in the structure of public higher  
7     education in the state. The work of the board of governors shall at  
8     all times be directed to maintaining and continuing, to the

1 maximum degree permissible, local authority and control in the  
2 administration of the California Community Colleges.

3 (b) Subject to, and in furtherance of, subdivision (a), and in  
4 consultation with community college districts and other interested  
5 parties as specified in subdivision (e), the board of governors shall  
6 provide general supervision over community college districts, and  
7 shall, in furtherance of those purposes, perform the following  
8 functions:

9 (1) Establish minimum standards as required by law, including,  
10 but not limited to, the following:

11 (A) Minimum standards to govern student academic standards  
12 relating to graduation requirements and probation, dismissal, and  
13 readmission policies.

14 (B) Minimum standards for the employment of academic and  
15 administrative staff in community colleges.

16 (C) Minimum standards for the formation of community colleges  
17 and districts.

18 (D) Minimum standards for credit and noncredit classes.

19 (E) Minimum standards governing procedures established by  
20 governing boards of community college districts to ensure faculty,  
21 staff, and students the right to participate effectively in district and  
22 college governance, and the opportunity to express their opinions  
23 at the campus level and to ensure that these opinions are given  
24 every reasonable consideration, and the right of academic senates  
25 to assume primary responsibility for making recommendations in  
26 the areas of curriculum and academic standards.

27 (2) Evaluate and issue annual reports on the fiscal and  
28 educational effectiveness of community college districts according  
29 to outcome measures cooperatively developed with those districts,  
30 and provide assistance when districts encounter severe management  
31 difficulties.

32 (3) Conduct necessary systemwide research on community  
33 colleges and provide appropriate information services, including,  
34 but not limited to, definitions for the purpose of uniform reporting,  
35 collection, compilation, and analysis of data for effective planning  
36 and coordination, and dissemination of information.

37 (4) Provide representation, advocacy, and accountability for the  
38 California Community Colleges before state and national legislative  
39 and executive agencies.

1 (5) Administer state support programs, both operational and  
2 capital outlay, and those federally supported programs for which  
3 the board of governors has responsibility pursuant to state or federal  
4 law. In so doing, the board of governors shall do *all of* the  
5 following:

6 (A) (i) Annually prepare and adopt a proposed budget for the  
7 California Community Colleges. The proposed budget shall, at a  
8 minimum, identify the total revenue needs for serving educational  
9 needs within the mission, the amount to be expended for the state  
10 general apportionment, the amounts requested for various  
11 categorical programs established by law, the amounts requested  
12 for new programs and budget improvements, and the amount  
13 requested for systemwide administration.

14 (ii) The proposed budget for the California Community Colleges  
15 shall be submitted to the Department of Finance in accordance  
16 with established timelines for development of the annual Budget  
17 Bill.

18 (B) To the extent authorized by law, establish the method for  
19 determining and allocating the state general apportionment.

20 (C) Establish space and utilization standards for facility planning  
21 in order to determine eligibility for state funds for construction  
22 purposes.

23 (6) Establish minimum conditions entitling districts to receive  
24 state aid for support of community colleges. In so doing, the board  
25 of governors shall establish and carry out a periodic review of each  
26 community college district to determine whether it has met the  
27 minimum conditions prescribed by the board of governors.

28 (7) Coordinate and encourage interdistrict, regional, and  
29 statewide development of community college programs, facilities,  
30 and services.

31 (8) Facilitate articulation with other segments of higher  
32 education with secondary education.

33 (9) Review and approve comprehensive plans for each  
34 community college district. The plans shall be submitted to the  
35 board of governors by the governing board of each community  
36 college district.

37 (10) Review and approve all educational programs offered by  
38 community college districts, and all courses that are not offered  
39 as part of an educational program approved by the board of  
40 governors.

1 (11) Exercise general supervision over the formation of new  
2 community college districts and the reorganization of existing  
3 community college districts, including the approval or disapproval  
4 of plans therefor.

5 (12) Notwithstanding any other ~~provision of~~ law, be solely  
6 responsible for establishing, maintaining, revising, and updating,  
7 as necessary, the uniform budgeting and accounting structures and  
8 procedures for the California Community Colleges.

9 (13) Establish policies regarding interdistrict attendance of  
10 students.

11 (14) Advise and assist governing boards of community college  
12 districts on the implementation and interpretation of state and  
13 federal laws affecting community colleges.

14 (15) Contract for the procurement of goods and services, as  
15 necessary.

16 (16) Carry out other functions as expressly provided by law.

17 (c) Subject to, and in furtherance of, subdivision (a), the board  
18 of governors shall have full authority to adopt rules and regulations  
19 necessary and proper to execute the functions specified in this  
20 section as well as other functions that the board of governors is  
21 expressly authorized by statute to regulate.

22 (d) Wherever in this section or any other statute a power is  
23 vested in the board of governors, the board of governors, by a  
24 majority vote, may adopt a rule delegating that power to the  
25 chancellor, or any officer, employee, or committee of the California  
26 Community Colleges, or community college district, as the board  
27 of governors may designate. However, the board of governors  
28 shall not delegate any power that is expressly made nondelegable  
29 by statute. Any rule delegating authority shall prescribe the limits  
30 of delegation.

31 (e) In performing the functions specified in this section, the  
32 board of governors shall establish and carry out a process for  
33 consultation with institutional representatives of community college  
34 districts so as to ensure their participation in the development and  
35 review of policy proposals. The consultation process shall also  
36 afford community college organizations, as well as interested  
37 individuals and parties, an opportunity to review and comment on  
38 proposed policy before it is adopted by the board of governors.

- 1     (f) This section shall become operative on January 1, 2014.

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